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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,755	02/09/2004	James E. King	5681-85400	6135
58467	7590	03/31/2009		
MHKKG/SUN P.O. BOX 398 AUSTIN, TX 78767			EXAMINER HUSSAIN, TAUQIR	
			ART UNIT 2452	PAPER NUMBER
			MAIL DATE 03/31/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/774,755

Applicant(s)

KING ET AL.

Examiner

TAUQIR HUSSAIN

Art Unit

2452

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 69-82 and 86-103 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 69-82 and 86-103 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to amendment /reconsideration filed on 01/12/2009, the amendment/reconsideration has been considered. Claims 87-103 have been newly added and therefore claims 69-82 and 86-103 are pending for examination, the rejection cited as stated below.
2. Applicant's election without traverse of claims 69-82 and 86-103 in the reply filed on 01/12/2009 is acknowledged.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 69-80, 82 and 86-100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. (Pub. No.: US 2005/0071625 A1), hereinafter "Schwartz" in view of Harper et al. (Patent No.: US 7,197,558 B1), hereinafter "Harper".
5. As to claim 69, 82 and 86, Schwartz discloses,
a switch portion (Schwartz, Fig.2, element-222);
a service processor portion (Schwartz, Fig.2, element-214);
a data interface for communicating with an external management entity; and

a fault management unit (Schwartz, Fig.2, element-226 is connecting the two entity 200 and 202 for data communication);

Schwartz however is silent on disclosing explicitly, wherein the fault management unit is configured to intercept fault messages generated by the switch portion and the service processor portion and to perform processing on the fault messages to determine whether to forward a given message to the external management entity.

Harper however discloses a similar concept as, wherein the fault management unit is configured to intercept fault messages generated by the switch portion (Harper, Col.3, lines 62-65, where Edge switch 120 filters the faulty messages) and the service processor portion and to perform processing on the fault messages to determine whether to forward a given message to the external management entity (Harper, Col.3, lines 65-67, where Edge switch determines the faulty messages corresponding to Edge switch and reports the fault message to server).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to combine the teachings of Schwartz with the teachings of Harper in order to provide a systems for network element fault information processing, where a network element identifier and a network element fault information processing instruction are received. A query for network element fault information based at least in part on the network element identifier is sent. Network element fault information is received. The network element fault information is processed based at least in part on the received network element fault instruction.

6. As to claim 70, 87 and 94, Schwartz and Harper discloses the invention substantially as in parent claim 69, 82 and 86 above, including, wherein the fault management unit is implemented within the service processor portion (Schwartz, Fig.2, element-214 and 210, where service processor and scalability management modules are within same entity).

7. As to claim 71, 88 and 95, Schwartz and Harper discloses the invention substantially as in parent claim 69, 82 and 86 above, including, wherein the fault management unit stores details of fault messages received irrespective of whether the message is forwarded to the external management entity (Harper, Col.2, lines 45-57, where fault messages are stored in the tarp log).

8. As to claim 72, 89 and 96 Schwartz and Harper discloses the invention substantially as in parent claim 69, 82 and 86 above, including, wherein the stored details of the fault messages includes data describing an action taken by the originator of the fault message in response to detection of the fault (Harper, Col.2, lines 58-67, where fault identifiers are recorded corresponding to the faulty device or element and Col.3, lines 1-8, where determined network fault information can also be retrieved and detailed analysis can be compiled in view of logged or saved fault messages. Additionally the trap log can be search and parsed by entering queries).

9. As to claim 73-74, 90-91 and 97-98, carries similar limitations as claims 72, 89 and 96 and therefore are rejected under for same rationale.

10. As to claim 75, 92 and 99 Schwartz and Harper discloses the invention substantially as in parent claim 74, 91 and 98 above, including, wherein the processing further comprises not forwarding a fault message relating to a fault already reported to the management entity (Harper, Col.3, lines 62-67 and Col.4, lines 1-3, where parameters included to determine which messages to be sent out to server or management system).

11. As to claim 76, Schwartz and Harper discloses the invention substantially as in parent claim 69 above, including, wherein the switch portion and service processor portion are implemented by separate hardware within the module (Schwartz, Fig.2, Elements- 222 a switch and 214, a service processor are separate hardware).

12. As to claim 77, Schwartz and Harper discloses the invention substantially as in parent claim 69 above, including, wherein the switch portion and service processor portion are implemented by common hardware within the module (Schwartz, element- 200, where switch portion and service processor portion are implemented by common hardware).

13. As to claim 78, 93 and 100, Schwartz and Harper discloses the invention substantially as in parent claim 69 above, including, wherein the service processor portion is configured to operate in master/slave relationship with a service processor portion of a further combined switch and service processor module of the modular computer system ([0018], where four RXE-216 are coupled to SMM-212 which is

controlled via master scalability chipset 210 and since RXE-216 is remote and therefore is equivalent to slave entity); and

Wherein the service processor portion is further configured to automatically synchronize management information with the service processor portion of the further combined switch and service processor via the data interface in accordance with the master/slave relationship (Fig.3, element-312, [0019], where registering node with scalability manager module is synchronizing master/slave relationship).

14. As to claim 79, carry similar limitations as claim 69 and 78 above and therefore is rejected under for same rationale.

15. As to claim 80, The combined switch and service processor module of claim 69, wherein the service processor portion has a user interface configured to receive and forward communications between the external management entity and the switch portion (Schwartz, Fig.2, element-200, where SMM is the interface to control messages).

16. Claim 81 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz and Harper in view of Ohkubo et al (Patent Number: US 5276683), hereinafter "Ohkubo".

17. As to claim 81, Schwartz and Harper disclose the invention substantially as in parent claims 69 above, including, wherein the switch and service processor elements are each operable to create a unique identifier using data unique to the respective

processor (Schwartz, Fig.2, element-212, [0020], where SMM is available to the booting node and compares the stored UUID list to the nodes specific UUID); and

Schwartz however is silent on disclosing explicitly, wherein the service processor is operable to supply its unique identifier to the switch for use by the switch in identifying itself in precedence to the switch's own unique identifier.

Ohkubo however discloses the concept of aliasing or creating single ID for multiple or plurality of devices, wherein the service processor is operable to supply its unique identifier to the switch for use by the switch in identifying itself in precedence to the switch's own unique identifier (Ohkubo, Abstract, where masking circuit is used to select a plurality of instruments by using a single ID code).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to combine the teachings of Schwartz and Harper with the teachings of Ohkubo in order to provide a multiplex communication system having a received ID comparison system capable of effecting the high-speed data transfer with a small number of hardware.

18. Claims 101, 102 and 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz and Harper in view of Tzeng et al (Pub. No.: US 2005/0122825 A1), hereinafter "Tzeng".

19. As to claim 101, 102 and 103, Schwartz and Harper discloses the invention substantially as in parent claim 69, 82 and 86 above, including, detect a fault in an

information processing module coupled to the switch portion (Harper, Col.3, lines 62-67, where edge switch determines network associated faults);

convey a corresponding fault message to the fault management unit (Harper, Col.3, lines 62-65, where transmits the fault report to server after determining the faults).

Schwartz and Harper however are silent on disclosing explicitly, in response to detecting a fault in the information processing module:
disable the network port of the information processing module.

Tzeng however discloses a similar concept of, in response to detecting a fault in the information processing module:
disable the network port of the information processing module (Tzeng, [0351], where after receiving a warning message port is disabled or traffic is stopped from the said port).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to combine the teachings of Schwartz and Harper with the teachings of Tzeng in order to provide a high performance network switching architecture for integrating multiple switched into a single device and more control over port management.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAUQIR HUSSAIN whose telephone number is (571)270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571 272 3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. H./
Examiner, Art Unit 2452

/Kenny S Lin/
Primary Examiner, Art Unit 2452